IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION

No. 5:12-CV-781-FL

COURTNAY T. BRISSETT and LADWIN BRISSETT,)	
Plaintiffs,)	
v.)	ORDER
SHOAF LAW FIRM, P.A., and)	
RYAN D. SHOAF,)	
Defendants.)	

This matter is before the court on the Memorandum and Recommendation ("M&R") of United States Magistrate Judge Robert B. Jones, Jr., regarding defendants' motion to dismiss plaintiffs' complaint for lack of subject matter jurisdiction. No objections to the M&R have been filed, and the time within which to make any objection has expired. This matter is ripe for ruling.

Upon careful review of the M&R and of the record generally, the court hereby ADOPTS the recommendation of the magistrate judge as its own. Plaintiffs have failed to allege facts or claims that would establish federal question jurisdiction over their complaint. Furthermore, the pleadings do not establish grounds for diversity jurisdiction. Plaintiffs' complaint affirmatively alleges that both they and defendants are residents and citizens of North Carolina, and the totality of circumstances indicates that the parties lack diversity jurisdiction. Thus, defendants' motion is GRANTED, and this matter is DISMISSED. The clerk of court is directed to close the case.

SO ORDERED this the 18th day of December, 2013.

LOUISE W. FLANAGAN United States District Judge

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